

REMARKS

Claims 1, 2, 4 and 8 have been amended in response to the rejection under 35 U.S.C. §112, second paragraph; it is believed that these amendments fully and self-evidently overcome the §112 rejection. Further amendments have been made in claim 1 (including introduction of recitals originally set forth in claim 3), and claims 3, 6, 7 and 9 have been cancelled to expedite prosecution but without prejudice to the scope of protection to which applicants are believed to be entitled. One new dependent claim (13) has been added, and is supported by the disclosure in the original specification e.g. at p. 4, last five lines, to p. 5, first three lines. Since this Amendment does not increase either the total number of claims or the number of independent claims, no additional fee is necessary.

Claims 1 (independent) and 2, 4, 5, 8 and 10 - 12 (all directly or indirectly dependent on 1) are in the application. Of these, claims 1, 2, 4 and 10 - 12 have been finally rejected under 35 U.S.C. §102(b) as anticipated by U.S. patent No. 4,937,125 (Sanmartin); claim 1 has been finally rejected under 35 U.S.C. §102(b) as anticipated by U.S. patent No. 3,007,834 (Moeller); claims 1, 2 and 5 have been finally rejected under 35 U.S.C. §102(b) as anticipated by U.S. patent No. 4,567,076 (Therrien); and claims 5 and 8 have been finally rejected under 35 U.S.C. §103(a) as unpatentable over Sanmartin in view of U.S. patent No. 5,791,118 (Jordan).

With reference to the rejection of claim 1 as anticipated by Sanmartin, it may initially be noted that Sanmartin describes a core material made of an engineering plastic such as polysulfones, a polyethersulfone; nevertheless, polymer alloys A and B of the present invention as recited in amended claim 1 are not disclosed in Sanmartin.

To improve moldability of engineering plastic for vacuum and/or pressure forming, a thermoplastic resin excepting the aforesaid engineering plastic should be added to the engineering plastic and further added a rubber or an elastomer, and a cardboard having a complex and deep drawing shaped cove member has an excellent sound proof property (see p. 4, lines 33-35, and p. 10, lines 11-16, in applicants' original specification).

Sanmartin does not disclose a cardboard having a complex and deep drawing shaped core member manufactured by vacuum and/or pressure forming.

Consequently, it is submitted that Sanmartin does not anticipate claim 1, or any of the dependent claims (2, 4 and 10 - 12) rejected therewith on Sanmartin.

Turning to the rejection of claim 1 as anticipated by Moeller, applicants note that Moeller describes a honeycomb structure in a grid structure, and the honeycomb is made of a thermoplastic resinous material but the honeycomb does not have a complex and deep drawing shape and is not molded by vacuum or pressure forming, as recited in applicants' amended claim 1. Hence, claim 1 is not anticipated by Moeller.

The current status of the rejection of claims 1, 2 and 5 as anticipated by Therrien is not clear, since the final Office Action, after setting forth the rejection on p. 5, states on p. 7 that the §102(b) rejection on "Therrien" (*sic*) has been withdrawn because "Applicant's arguments" with respect thereto "have been fully considered and are persuasive." Be that as it may, Therrien describes a structure with a honeycomb core layer but the honeycomb layer is not made of the polymer alloy of the present invention and does not have a complex and deep drawing shape and further is not molded by vacuum and/or pressure forming. Therefore, it is submitted that Therrien does not anticipate claim 1 as herein amended or either of dependent claims 2 and 5.

Jordan, combined with Sanmartin in the rejection of claims 5 and 8 under §103(a), adds nothing to the primary reference with respect to the novel and distinguishing features of claim 1, on which claims 5 and 8 are dependent.

Jordan describes a structure with an outer face sheet 11 and a thin inner face sheet 12 with a thin corrugated core sheet 13. The final Office Action asserts that the thin corrugated core sheet 13 is considered to teach a number of projections since each node is considered to project from the core structure, but in the present invention the core member is a molded sheet forming a number of *tuberous* projections (see claim 8 as amended herein). These tuberous projections have a good sound proof effect and correspond to deep drawing parts.

The Examiner also contends that the addition of carbon fibers to the core and the covering member of Jordan are considered to be compatibility aid agents. Applicants respectfully submit, however, that this contention is predicated on a misunderstanding of what the compatibility aid agent (recited in claim 5) is. In fact, the compatibility aid agent (compatibilizer) is an agent to compatibilize two kinds of polymers to give a uniform polymer alloy.

Thus, no combination of Sanmartin and Jordan could make obvious the subject matter of

applicants' present claims 5 and 8.

In short, none of the references applied by the Examiner discloses polymer alloys A and B and a core member having deep drawing shape and use of sound proof member. In this regard, new claim 13 is submitted to be allowable by virtue of its dependence on claim 1 and also because of its recital that the claimed article is a sound proof and shock absorbing member.

For the foregoing reasons, it is belied that this Amendment will place the application in condition for immediate allowance. Entry of the Amendment, and favorable action, are accordingly courteously requested.

Respectfully,

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I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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